

ORIGINAL

BRYAN CAVE

ST. LOUIS, MISSOURI
LOS ANGELES, CALIFORNIA
NEW YORK, NEW YORK
PHOENIX, ARIZONA
KANSAS CITY, MISSOURI

700 THIRTEENTH STREET, N.W.
WASHINGTON, D.C. 20005-3960
(202) 508-6000
FACSIMILE: (202) 508-6200

IRVINE, CALIFORNIA
SANTA MONICA, CALIFORNIA
OVERLAND PARK, KANSAS
LONDON, ENGLAND
RIYADH, SAUDI ARABIA
FRANKFURT AM MAIN, GERMANY

CARL W. NORTHPROP

EX PARTE OR LATE FILED

(202) 508-6152

January 14, 1994

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JAN 14 1994

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Notice of Ex Parte Contact
PR Docket No. 93-35; PR Docket No. 89-553

Dear Mr. Caton:

On January 13, 1994, Charlie Jackson, Mark Stachiw, Kathleen Abernathy and Carl W. Northrop, representatives of PacTel Paging ("PacTel"), met with Ralph Haller, Beverly Baker and Rosalind Allen of the Private Radio Bureau to discuss PCP exclusivity and PacTel's pending waiver request of rule section 90.495(a)(5) which was adopted in the above-referenced proceeding.

A presentation also was made regarding the 900 MHz SMR proceeding. These comments were consistent with PacTel's publicly filed comments in this proceeding.

Please include a copy of this notice of ex parte contact in the records of this proceeding in accordance with the Commission's rules, along with the attached copy of the materials distributed at the meeting.

Very truly yours,


Carl W. Northrop

cc: Ralph A. Haller
Beverly G. Baker
Rosalind K. Allen

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

900 MHZ SMR

**PRESENTATION TO LAND MOBILE DIVISION OF THE
PRIVATE RADIO BUREAU**

**PACTEL PAGING
JANUARY 13, 1994**

- **GEOGRAPHIC LICENSING AREAS**

- **THE COMMISSION PROPOSED 3 20 CHANNEL NATIONWIDE SYSTEMS, 6 20 CHANNEL REGIONAL SYSTEMS, AND 2 10 CHANNEL LOCAL SYSTEMS**
- **PACTEL SUPPORTS 3 20 CHANNEL NATIONWIDE SYSTEMS**
- **PACTEL SUPPORTS 6 20 CHANNEL REGIONAL SYSTEMS, BUT RECOMMENDS LARGER GEOGRAPHIC COVERAGE AREAS, SUCH AS THE FIVE TELOCATOR AREAS PROPOSED FOR NARROWBAND PCS**
 - **IF THE COMMISSION FINDS SMALLER AREAS MAY BE WARRANTED FOR SOME SMR SYSTEMS, COMMISSION COULD BREAK 6 SYSTEMS INTO 3 SYSTEMS FOR TELOCATOR AREAS AND 3 FOR MTAS**
- **PACTEL OPPOSES ANY LOCAL SYSTEMS**
 - **NO SUBSTANTIAL UNSATISFIED DEMAND**
 - **800 MHZ SMR IS ALREADY AGGREGATING INTO LARGE GEOGRAPHIC AREAS**
 - **IF SOME LOCAL, THEN MINIMUM LICENSING AREA SHOULD BE MTA**

- **SYSTEM COMPATIBILITY**

- **THE COMMISSION PROPOSES THAT LICENSEES ARE NOT REQUIRED TO HAVE COMPATIBLE SYSTEMS**
- **PACTEL, HOWEVER, SUGGESTS THAT COMPATIBILITY STANDARDS WILL SERVE THE PUBLIC INTEREST**
 - **WILL PERMIT ROAMING BETWEEN AND AMONG SYSTEMS**
 - **WILL ALLOW A GREATER EQUIPMENT MARKET TO DEVELOP WHICH WILL ALLOW ECONOMIES OF SCALE IN MANUFACTURING SO THE EQUIPMENT WILL BE LOWER COST**
 - **800 SMR IS QUICKLY SETTLING ON A COMPATIBILITY STANDARD AND WILL PRESENT FORMIDABLE COMPETITION TO 900 MHZ SMR**
 - **PACTEL PROPOSES THAT LICENSEES BE REQUIRED TO SUBMIT A NATIONWIDE COMPATIBILITY PLAN**

- **ELIGIBILITY REQUIREMENTS**
 - **THE COMMISSION PROPOSED LIMITING ELIGIBILITY TO EXISTING 900 MHZ SMR LICENSEES WITH A SUBSTANTIAL PRESENCE (LICENSED IN 20 OF 46 DFAS) AND THEN THROW IT OPEN FOR ALL OTHERS (EXCEPT WIRELINE COMPANIES)**
 - **PACTEL STRONGLY OPPOSES RESTRICTED ELIGIBILITY**
 - **FEW (IF ONLY RAM AND MOTOROLA) WOULD BE ELIGIBLE TO RECEIVE INITIAL LICENSES**
 - **THE GOALS SOUGHT BY RESTRICTING ELIGIBILITY CAN BE MET IN OTHER WAYS WHICH BETTER SERVE THE PUBLIC INTEREST:**
 - **REQUIRING SHORT TIME PERIODS TO CONSTRUCT SYSTEMS**
 - **REQUIRING LICENSEES TO USE MORE THAN FIVE CHANNELS PER BASE STATION WHEN COUNTING TOWARDS CONSTRUCTION DEADLINES**
 - **AUCTIONING SPECTRUM WILL EFFECTIVELY ELIMINATE SPECULATORS**
 - **THE WIRELINE RESTRICTION NO LONGER SERVES THE PUBLIC INTEREST AS IS SHOWN BY THE COMMISSION ALLOWING WIRELINE COMPANIES TO SECURE WIDEBAND PCS LICENSES**

- **ANTISPECULATION DEVICES**
 - **CONSTRUCTION REQUIREMENTS**
 - **PACTEL OPPOSED THE COMMISSION PROPOSAL THAT A NATIONWIDE LICENSEE WOULD BE REQUIRED TO CONSTRUCT 28 MARKETS IN 4 YEARS, 49 MARKETS IN 6 YEARS, AND 70 MARKETS IN 10 YEARS**
 - **PACTEL PROPOSES 48 MARKETS IN 4 YEARS, 84 MARKETS IN 6 YEARS, AND 120 IN 10 YEARS WHICH WOULD MIRROR THE RULES ADOPTED FOR EXCLUSIVITY FOR PCP SYSTEMS**
 - **PACTEL SUPPORTS THE COMMISSION PROPOSAL THAT LICENSEES WHICH HAVE FAILED TO MEET THE CONSTRUCTION REQUIREMENTS WOULD LOSE THEIR LICENSES**
 - **FINANCIAL SHOWINGS, TECHNICAL SHOWINGS, FILINGS FEES, PERFORMANCE BONDS, AND ALIENATION RESTRICTIONS**
 - **PACTEL SUPPORTS THE USE OF FINANCIAL SHOWINGS**
 - **PACTEL INITIALLY SUPPORTED THE USE OF THE OTHER MEASURES TO DETER SPECULATORS, BUT NOW BELIEVES THAT IF THE SPECTRUM IS AUCTIONED, THE NEED FOR THESE OTHER ANTI-SPECULATION DEVICES WOULD BE ELIMINATED**

900 MHZ SMR

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